



PUBLIC NOTICE

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DA 21-1117

Released: September 8, 2021

TV BROADCASTER RELOCATION FUND FILING DEADLINE APPROACHES IN THIRTY DAYS

MB Docket No. 16-306
GN Docket No. 12-268

1. The Incentive Auction Task Force and Media Bureau (Bureau) remind all full power and Class A TV stations assigned transition completion dates in phases 1-5 of the Transition Scheduling Plan,¹ and repacked stations that were granted permission to transition prior to the phase 1 testing period,² that they must submit all remaining invoices for reimbursement from the TV Broadcaster Relocation Fund (Reimbursement Fund or Fund) using the Reimbursement Form no later than **October 8, 2021**.³

2. We strongly encourage all entities to submit all remaining invoices and initiate close-out procedures as early as possible without waiting for the deadline.⁴ Extensions of the assigned invoice submission deadlines should not be required.⁵ In the event a station subject to the October 8, 2021 deadline faces circumstances beyond its control, we will consider a limited extension by means of shifting to the second deadline assignment. An entity requesting such a shift will have to provide evidence that circumstances requiring the extension were outside of its control, such as local zoning or a force majeure

¹ See *Incentive Auction Task Force and Media Bureau Adopt Post-Incentive Auction Transition Scheduling Plan*, Public Notice, 32 FCC Rcd 890 (IATF/MB 2017).

² A station that was granted permission to change phases is assigned to the deadline associated with its revised phase completion date.

³ See *Invoice Filing Deadlines for TV Broadcaster Relocation Fund*, Public Notice, 35 FCC Rcd 11273 (MB/IATF 2020) (*Invoice Filing Deadline PN*); *Invoice Filing Deadlines for TV Broadcaster Relocation Fund Reimbursement Begin on October 8 2021*, Public Notice, DA 21-404, 2021 WL 1328925 (MB/IATF Apr. 8, 2021) (*Six Month Reminder PN*); *TV Broadcaster Relocation Fund Filing Deadline Approaches in Sixty Days*, Public Notice, DA 21-970, 2021 WL 3501416 (MB/IATF rel. Aug. 9, 2021) (*Sixty Day Reminder PN*).

⁴ See *Invoice Filing Deadline PN*, 35 FCC Rcd. at 11273. The deadlines were established to balance the burden on entities that have ongoing construction work against the need for Commission staff (with the support of the Fund Administrator) to have sufficient time to fully process all reimbursement requests and complete close-out procedures⁴ prior to the July 3, 2023 deadline, after which any unobligated amounts in the Fund will be rescinded and deposited into the U.S. Treasury. 47 U.S.C. § 1452(j)(1)(A)-(B).

⁵ Close-out procedures were announced on February 16, 2019. See *Incentive Auction Task Force and Media Bureau Report on the Status of the Post-Incentive Auction Transition and Reimbursement Program; Announce a Further Allocation from the Relocation Fund; and Announce Procedures for Eligible Entities to Close Out Accounts in the Fund*, Public Notice, 34 FCC Rcd 304 (MB/IATF 2019) (*Close Out Procedures PN*). The upcoming October 8, 2021 invoice filing deadline was announced a year in advance. See *Invoice Filing Deadline PN*, 35 FCC Rcd 11273. All 510 repacked stations subject to the October 8, 2021 deadline vacated their pre-auction channels prior to September 11, 2019.

event occurring proximate to the final submission deadline.⁶

3. We will not be able to make a final allocation up to the full amount of costs incurred for program participants until all or virtually all invoices for incurred costs are submitted, or at such time as we can reasonably extrapolate that the total available funding will be sufficient to meet the total cost of the program. However, payments to entity participants up to the total amount of each entity's allocation are available upon processing of documents reflecting reasonably incurred costs.

4. We urge all entities in the program to initiate interim close-out procedures as soon as they complete their construction projects and have incurred and submitted invoices for all of their reimbursable costs. All repacked stations assigned to phases 6 through 10 must submit all remaining invoices and supporting documentation using the Reimbursement Form, and initiate interim close-out procedures, no later than **March 22, 2022**. All 444 repacked stations in this group had transitioned to their post-auction channels by the July 13, 2020 post-incentive auction transition deadline.⁷ All MVPDs, FM stations, and LPTV/translator stations who intend to seek reimbursement must submit all remaining invoices and supporting documentation using the Reimbursement Form, and initiate interim close-out procedures, no later than **September 5, 2022**.

5. Entities that have not submitted any invoices and do not plan to submit any invoices should contact the Fund Administrator immediately to close out their accounts. Any entity that has failed to file any invoices or initiated interim close-out procedures by the invoice filing deadline assigned to that entity will be closed out of the reimbursement program on that filing deadline date, and any allocations made to that entity's account will be returned to the Fund and available for allocation to other entities in the reimbursement program.

6. We also remind entities that we have established procedures to ensure compliance with Fund guidelines. For example, entities may be selected for audits, data validations, and site visits at any time during the repack and reimbursement process, i.e., before or after the entity has completed its construction project; during the close-out period; or at a time thereafter. We remind participants that they must retain documents for a period ending 10 years after the date they receive their final payments from the Reimbursement Fund.⁸

7. For additional information or questions about the reimbursement process, please call the Reimbursement Help Line at (202) 418-2009, or e-mail Reimburse@fcc.gov.

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⁶ Requests for a limited extension from the first to the second deadline should be filed as a legal STA in LMS. Waiver of the filing fee may be selected when filing the STA in LMS. Additional guidance is available on the Commission's Reimbursement Fund webpage <https://www.fcc.gov/about-fcc/fcc-initiatives/incentive-auctions/reimbursement> under the "Education and Reference" tab, Reimbursement FAQs for Full Power and Class A Stations and MVPDs at page 18. We will not consider the availability of reimbursement or the status of specific reimbursement requests to be a mitigating factor in evaluating extension requests and we will not grant extensions that do not provide the staff with sufficient processing time to complete close-out procedures for all stations. Thus, an entity's failure to complete construction in a timely manner and to make final submissions by the assigned deadlines could preclude that entity from receiving full reimbursement because unobligated amounts in the Fund must be rescinded to Treasury by July 3, 2023. *Invoice Filing Deadline PN*, 35 FCC Rcd at 11277-78, para 13; *Six Month Reminder PN*, at *2, para 5; *Sixty Day Reminder PN* at n.4.

⁷ See *supra* note 2. This phase includes a handful of repacked stations that were granted permission to transition shortly after the end of phase 10 due to circumstances beyond their control and that met the extension dates by the end of September 2020.

⁸ See *Invoice Filing Deadline PN*, 35 FCC Rcd at 11278-79, paras. 15-17.